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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

VERBATIM RECORD OF THE 1403rd MEETING

Held at Headquarters, New York,
on Wednesday, 22 July 1992, at 10 a.m.

Chairman: Mr. LOHIA (Papua New Guinea)

- Question of the United States Virgin Islands
- Hearing of Petitioners
- Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations
- Question of sending visiting missions to Territories

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- Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

- Military activities and arrangements by colonial Powers in territories under their adiminstration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

- Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations:

  Report of the Chairman

  Report of the Secretary-General

- Requests for hearing

- Organization of work

The meeting was called to order at 10.30 a.m.

QUESTION OF THE UNITED STATES VIRGIN ISLANDS

HEARING OF PETITIONERS

The CHAIRMAN: As members will recall, at our previous meeting the Committee granted a request for hearing to Ms. Judith L. Bourne, of the Save Long Bay Coalition, Inc.

At the invitation of the Chairman, Ms. Judith L. Bourne (Save Long Bay Coalition, Inc.) took a place at the petitioners' table.

The CHAIRMAN: I welcome Ms. Bourne, who took part in the Grenada Seminar, and call on her.

Ms. BOURNE: On behalf of the Save Long Bay Coalition and on my own behalf, I should like to thank you, Mr. Chairman, and the Committee, for granting my request to come before you to provide, in a direct way, up-to-date information on a matter of continuing concern to the Government of the United States Virgin Islands and to its people.

I speak, of course, of the dredging, filling and development of portions of the harbour of Charlotte Amalie, the capital of the United States Virgin Islands, by the West Indian Co. Ltd., known as WICO, a Danish-owned commercial development company. The concern shown by the Committee, reflected in resolutions of the General Assembly, is very much appreciated, and, as I will describe later, has had some effect. Unfortunately, that effect has not been manifested by any action of the administering Power.

I recognize that this process of hearing petitioners is, in the absence of a visiting mission, one of the few ways in which the Committee can obtain first-hand information on matters of concern in the Territories on the list of Non-Self-Governing Territories. In the case of the United States Virgin Islands, although our Government has requested of the United States Department

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of State that the Committee be invited to dispatch a visiting mission, we understand that no such invitation has been extended. The Save Long Bay Coalition believes that a first-hand look at the actual areas that we speak to you about would be of significant use to the Committee in its evaluation of the likely repercussions of the confirmation of the rights claimed by WICO on the ultimate ability of the people of the Territory to exercise their right to self-determination.

The desire for such a first-hand look was illustrated by a member of the Subcommittee who asked if I could submit a photograph of the area being discussed. Although I was unable to provide what was requested at that time, I should note that in 1987, when the Save Long Bay Coalition first appeared before the Committee, we provided both photographs and a video tape which showed the area. The Secretariat took them for safe keeping, as we had made no arrangements for their exhibition. Now that the Committee has received information on this issue for several years, a viewing of the photographs and tape, which I presume remain in the possession of the Secretariat, may be of use to members.

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The rights claimed by WICO were confirmed by the courts of the administering Power in 1987, despite the public opposition of the elected representatives of the people of the Territory and that of many civic organizations, including those which form the Save Long Bay Coalition. The courts affirmed that this private corporation had development and ownership rights over submerged lands in the navigable harbour of our capital, despite the fact that the laws of virtually all countries, including the United States and Denmark, recognize that title to all such lands inheres in the pertinent Government, as trustee for their people.

In no part of the decisions of the trial court or of the appellate court, nor in the decision by which the United States Supreme Court refused to review the case, did any judicial authority recognize the status of the United States Virgin Islands as a Non-Self-Governing Territory towards which the administering Power had special responsibilities under international law. In dealing with issues involving sovereignty and the control of the Territory over its natural resources and their future development, these international legal matters were brushed aside.

Because of these decisions by the courts of the administering Power, WICO has the power to create and develop land in the harbour of our capital, free from the most important of governmental regulations concerning both zoning for various uses and the specific management of the coastal zones of our island communities. This is the same Company which, several years ago, forced out of the company all stockholders who were Virgin Islands residents.

Alexander A. Farrelly, the present Governor of the Virgin Islands, has written to the Secretary of State of the administering Power requesting assistance in redressing this anomalous situation. No substantive response

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has ever been received - only a letter acknowledging receipt and stating that the matter was being referred to the Department of the Interior for reply. That Department has never responded.

The only comment made by the Government of the administering Power has been the suggestion, made to the non-voting federal official representing the Territory in the United States Congress, that the Territory utilize its power of eminent domain to purchase the property. That power, when exercised, requires the immediate payment of market value for whatever property is being taken for public use. The lack of resources in the Virgin Islands' budget for such purposes is of long standing. In fact, about two years ago the Virgin Islands legislature passed an act authorizing and directing the Administration to use the eminent-domain power, or condemnation, as it is also known, to purchase one of the last remaining sand beaches on the eastern part of St. Thomas that was not commercially developed. The act was an effort to preserve the beach for the continued, customary use of local residents in the face of plans which had been announced for the construction of a major hotel immediately adjacent. The act could not be implemented for lack of funds.

Similarly, a fund set up to purchase scenic overlooks to assist our largely locally owned taxi and tour industry has not been funded, although tourism is our major industry, and the traditional overlooks, which are on privately owned land, have become increasingly unavailable.

Just this fiscal year, the budgets of Government departments have been cut by seven per cent across the board because the administering Power refused the further draw-down of loan funds it had previously approved to assist the Territorial Government in its recovery from the economic and financial devastation brought on by the physical devastation of hurricane Hugo. The denial of those funds, of which the Virgin Islands had expected to have use

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through fiscal years 1991-1992 and 1992-1993, caused an immediate shortfall of $37 million in the projected 1991-1992 budget and, among other consequences, prompted the Governor to decline to sign a teachers' union contract which had been negotiated based on the availability of the loan funds. That consequence, in turn, resulted two months ago in a teachers' strike which lasted for two weeks and ended without resolution of the controversy.

So there is no question that the Government of the Territory, despite its consistent support of the position of the Save Long Bay Coalition, which support has been expressed in the statements of the Government before the Committee, simply does not have the money on its own to exercise the option of regaining sovereignty over this important natural resource in its main harbour.

About three months ago, action was taken which was clearly influenced by the continuing, express opposition of the people of the United States Virgin Islands to the situation and by the support given to us in the decisions taken by this Committee. All of the shares of the West Indian Company, Ltd., were offered for sale to the Government of the Territory for $65 million. This should have been cause for celebration, and would have been, except for two provisions of the offer. The first was the imposition of a one-month deadline, subsequently extended to 30 June 1992, for the signing of a contract for the purchase of the stock. The second was a deadline of 8 August 1992 for the consummation of the sale.

Given the legal responsibility of the Government to have a full evaluation of the assets of the Company and a complete financial analysis to ensure that the stock was not being overvalued and the need to identify and secure a source of financing, it was impossible for the Government to meet the deadlines, and a proposed delay in the final date was adamantly refused by the

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owners of the stock. Just two weeks ago, WICO issued a public statement confirming that they were ending the negotiations which had been taking place with the Government because the Government was unable to meet these deadlines.

The prospect of gaining control of WICO and thereby regaining control of the submerged and filled land of the harbour, as well as the docks and other harbour-related businesses owned by the Company, was of such importance to the Government that there was even some attention given to the possibility of using the funds in the Government Employees Retirement System for the acquisition. This fund was the only substantial reservoir of money with any possibility of being available at relatively short notice, but serious questions were raised concerning the propriety of the use of that money for such a purpose.

In any case, the negotiations have been ended by the Company.

There is much talk in the community concerning this unconsummated offer of sale. The inclusion of unrealistically short deadlines and WICO's refusal of an extension have led to speculation that the offer was knowingly made in such a way that it could not reasonably be accepted.

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It is being said that, because of the continuing opposition of the community and the international support which has been shown, WICO wished to be able to say that it had made an offer to the Government which the Government did not take up. It, therefore, designed the offer in such a way that it would be impossible for the Government to accept it without violating fiduciary responsibilities and legal standards which regulate the manner in which the Government must act with regard to the investment of money.

In short, voices in the community question the good-faith basis of the offer. And so the situation appears once again to be the same as I described to the Subcommittee in May, before the existence of this offer was even known. WICO is attempting to go forward with its development plans.

The importance of the impending finality of this loss affects both the overarching issues of sovereignty and the ability of the Government to protect natural resources and regulate development, as well as the very concrete issues of environmental damage, the overburdening of already stressed infrastructure and the degradation of the quality of life of a residential population for the financial profit of foreign owners.

WICO has now put forward a "conceptual" plan for development of the landfill and surrounding areas. The staff of the local Department of Planning and Natural Resources (DPNR) has pointed out the many areas in which this plan is in violation of the goals and policies of the Virgin Islands Coastal Zone Management Act. The basic response of the Company has been to cite its special privileges.

Even more egregious is the Company's attitude towards its responsibility even to inform the Government of its plans. Referring to the two governmental

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agencies with most regulatory authority over land development, WICO has stated that "neither CZM" - the Coastal Zone Management Commission - "nor DPNR can require WICO to submit its development plans as a whole, unless it agrees to do so".

With respect to the property which forms the basis of this issue, the company acts as if it were a private, sovereign entity, accountable to no one outside of itself.

As cited above, in its only substantive communication on this matter, the administering Power, whose courts have established this anomaly, indicated its belief in 1989 that the only remedy was acquisition by the Territorial Government. Unfortunately, despite the request of the Virgin Islands Governor, the need for assistance to effect such an acquisition has not been acknowledged.

Even though the "conceptual" plans prepared by WICO expressly purport to show only "development potential" and not final detail, they were submitted for the purpose of obtaining permits for the development not only of the land which has been declared exempt from most normal regulation, but also of adjacent land, that is, for land which should be subject to the normal regulatory functions of the Government.

It is noteworthy that, by combining the two in the same documentation, WICO attempts to obtain permits for its fully regulated land on virtually the same terms as for its largely exempt land. Such action confirms the impression of an attitude of disdain for the Territorial Government.

The review of the WICO plan done by the Coastal Zone Management staff exposed numerous adverse impacts on the marine environment and water quality,

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on threatened and endangered birds and mammals, on public services such as electrical power and water supply and on solid waste and sewage disposal, on the visual environment, on traffic and on historical artifacts likely to be found in the affected areas of the harbor. That review also noted that serious questions exist concerning the economic justification for the project, as well as the integrity and structural stability of the recently filled land.

Of the seven projects contained in WICO's "conceptual" plan, the staff considered only one to be in compliance with the goals and principles of the Coastal Zone Management Act.

Although the Territorial Government continues to try to assert as much control as it can over this proposed development, it is fighting a rear-guard action, at best. When a law was passed earlier this year requiring that WICO pay impact fees to defray the costs of addressing adverse impacts caused by its development, the court of the administering Power invalidated the law. But the court did not stop there: It required that any future legislation pertaining to WICO's special rights be submitted to the court for a prior determination of its propriety before it is passed by the Territorial Legislature. The court declared that if this is not done, and such legislation is successfully challenged in court by WICO, substantial fines would be levied against the Virgin Islands Government.

Such threats cannot help but discourage the elected representatives of the people of the Virgin Islands from trying to find ways to safeguard the interests of their people against the rapacious conduct of WICO.

Given the situation which I have described, the Save Long Bay Coalition regards this as a critical year. We endorse the language recommended on this

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issue by the Subcommittee in the portion of its report which pertains specifically to the United States Virgin Islands, and strongly urge its inclusion in the report of this Committee.

The environmental and social problems likely to occur if the WICO development goes forward are enormous. The urgency of the present situation mandates the use of compelling language with regard to the immediate assistance needed by the Territorial Government to inhibit further development-induced damage and to avoid development-induced increases in the market value, which would elevate the price to be paid for the property.

The United States Virgin Islands is a small Territory with a fragile economy and a vulnerability to environmental degradation. Our limited natural resources need to be protected and controlled for the welfare of our people. We ask that the Special Committee continue to give its recognition and its moral support to our effort to convince the administering Power to provide the Territory with the resources for which we have so compelling a need.

I thank you for your attention and for your support.

The CHAIRMAN: I thank Ms. Bourne for the important information she has furnished to the Committee. We all believe that her participation will only make the work of this Committee more relevant to the actual situation in the island territory.

Ms. Bourne withdrew.

The CHAIRMAN: I wish to inform members that I have received an indication from Mr. Carlyle Corbin, representative of the Governor of the United States Virgin Islands, of his wish to make a statement at this stage.

(The Chairman)

Subject to the consent of members and in accordance with standing procedure, I suggest that the Committee invite him to make a statement.

It was so decided.

At the invitation of the Chairman, Mr. Corbin took a place at the Committee table.

The CHAIRMAN: I now call on Mr. Corbin.

Mr. CORBIN: On behalf of the Government of the United States Virgin Islands, I wish to congratulate you and the other members of the Bureau on election to the directorate of the Special Committee. We once again appreciate the opportunity to participate in your work.

My Government would like to thank Lionel Hurst, Permanent Representative of Antigua and Barbuda and Chairman of the Caribbean Community (CARICOM) Permanent Representatives for July, for his participation in our work today. We take this opportunity to congratulate the Rapporteur, the representative of Trinidad and Tobago, for the presentation on Monday of an excellent report on the Decolonization Seminar held in Grenada last month. Our congratulations go also to the Government and people of Grenada for the excellent facilities provided for our deliberations and the warm West Indian hospitality for which Grenada and the entire Caribbean is noted.

As most members of this Committee are aware, successive Governments of the United States Virgin Islands have played an active role in the work of the Committee since our first address in 1975. This involvement is consistent with long-standing resolutions of the General Assembly.

These resolutions have consistently recognized that the active role of the people of the Territories in the United Nations decolonization process serves to promote self-determination and is the best source of information for Member States to become sensitized to the problems and potential solutions of self-determination in the remaining Non-Self-Governing Territories. Support for this participation has also been expressed by representatives of the Territories themselves and by the representative of the United States Government in a formal statement to the Fourth Committee last October.

The statement of the United States representative is contained in the report of the Special Committee Working Group, which was approved by this

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Committee last June - a Working Group in which my Government participated as fully as our limited resources would allow.

But my Government seems to be an exception to the practice that has not seen other Governments of Non-Self-Governing Territories participating in the work of the Committee with any degree of frequency. The resulting lack of familiarity with the Committee only serves to reinforce the many misconceptions about the Committee's work and its intentions in the Territories. Conversely, the Committee is denied first-hand information from the people themselves. If the people of the Non-Self-Governing Territories are not brought into this process, then the process will become increasingly marginalized and further removed from the people it is designed to serve.

We were therefore quite gratified to note that, in order to address this concern, Member States in the final adoption of the Plan of Action for the International Decade for the Eradication of Colonialism made provision for assisting our Territories with resources to participate in the work of the Special Committee, as well as in other activities of the United Nations. We were further pleased that these provisions have been included in the budget of the Special Committee for the 1992-93 biennium to implement this priority of the General Assembly. But, as is too often the case, the bureaucracy has lagged far behind in its implementation of the mandates given to it by the Member States. This seems to be particularly true for directives given to the bureaucracy which serves this Special Committee.

My Government is fully aware of the relevant section of the budget for the Decolonization Committee for the Biennium 1992-93 approved by the Fifth Committee last year and endorsed by the General Assembly, which clearly states that costs related to the participation of representatives of Non-Self-Governing Territories in the work of United Nations bodies, and in

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particular the Special Committee, can be met under Section 6 A of the program budget for the 1992-93 biennium.

This has been brought to the attention of the Subcommittee on Small Territories, Petitions, Information and Assistance during its meeting earlier this year. The use of resources from these provisions was confirmed by the Working Group of the Special Committee in paragraph 18 of its report, which was approved by this Committee on 1 June of this year. Participants in the Decolonization Seminar in Grenada subsequently endorsed the use of these provisions as contained in the Committee's budget for 1992-93; the report of the Seminar, approved by this Committee two days ago, reflects that support.

Accordingly, by letters of 2 April 1992 and 8 July 1992, my Government officially requested budgetary resources from the appropriate provisions of the Committee's budget to participate in these meetings during consideration of our Territory. We received no reply to either letter and regard the lack of response on this matter, as well as the failure to reply to numerous requests by my Government over the years for information from this Committee, as further evidence of a growing concern among many Non-Self-Governing Territories about the willingness of the Secretariat to implement the mandates given to it by the Member States in the field of decolonization. As was so aptly stated by one of the participants in the Grenada seminar, "After all is said and done, more is said than done."

The irony of this matter is that the budget of this Committee is partially justified to the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Fifth Committee by the implication that resources would be made available to representatives of the Territories to participate in its work. But when a request comes for the use of these resources, there is not even the courtesy of a reply.

(Mr. Corbin)

Our concern is further illustrated by the fact that the Secretariat of this Committee returns the bulk of its budgetary allocation unused. In 1987, for example, the rate of the utilization of its budget was 13 per cent. In 1988, it was 15.8 per cent. In 1989, it was 37.6 per cent, and in 1990, it was reported to be 5.9 per cent.

For the record, my Government has been an associate member of the United Nations Economic Commission for Latin America and the Caribbean and its subsidiary bodies since 1984. My Government has addressed the Special Committee and the Fourth Committee in the capacity of Chairman of several United Nations regional bodies. Most recently, we participated as an observer to the United Nations Conference on Environment and Development, held in Brazil last June, at the written invitation of the Secretary-General of the United Nations. The fact that we appear on the list of Non-Self-Governing Territories does not mean that we are not a legitimate government or that we have no authority to dialogue with various organizations of the United Nations system. On the contrary: such formal communication is a routine occurrence.

(Mr. Corbin)

My Government therefore cannot understand this failure of the Secretariat of this Committee to reply to our correspondence when we routinely correspond with other Committees of the United Nations system and participate in the work of this very Committee with the concurrence of its member States. My Government has since 1975 invested a significant amount of its own limited resources to provide updated information to the Committee to clarify matters that may arise and to answer questions on specific issues in furtherance of the Committee's mandate. Pending the satisfactory resolution of this matter, my Government is not prepared to continue this investment.

Having explained my Government's position in this regard, I wish to express congratulations to the members of the Subcommittee on Small Territories, Petitions, Information and Assistance, and in particular to its Chairman, for an excellent consolidated resolution, particularly as it relates to the United States Virgin Islands. The timeliness of the specific provisions of the resolution is a tribute to the seriousness the Subcommittee and the Committee place on the unique conditions and circumstances of each of the Territories concerned. I therefore only wish to make a few comments on provisions contained therein, and to offer a few suggestions.

Regarding the general section of the consolidated resolution, the Subcommittee has once again noted the importance of political education in the Territories in order to foster an awareness among the people of the possibilities open to them. My Government has consistently supported these provisions over the years, and respresentatives of the Territories during the United Nations regional seminars on decolonization in 1990, in Vanuatu and Barbados respectively, actively called for a role for the United Nations in this process.

(Mr. Corbin)

The Committee may wish to consider how it can assist the Territories in the facilitation of their respective political education programmes within the context of the International Decade for the Eradication of Colonialism. We are also pleased to note the continued support in the consolidated resolution for closer cooperation between the Territories and their respective regions, as well as between the Territories and specialized agencies and other institutions of the United Nations.

Because many of the recommendations of the Grenada seminar were not reflected in the Subcommittee report, since the Subcommittee had almost completed its work at the time of the Grenada seminar, we propose that several key seminar recommendations be added to the report of the Special Committee. In this regard, in light of the importance placed by the General Assembly on the participation of Territories in the decolonization process, our first proposal is a new operative paragraph to the general section of the consolidated resolution, which is lifted almost verbatim from paragraph 18 of the report of the Working Group of the Special Committee, and also endorsed by the participants in the Grenada seminar in paragraph 32 of the seminar report.

The proposed paragraph reads as follows:

"Recommends that the General Assembly provide financial assistance to facilitate the participation of representatives of Territorial Governments or other appropriate authorities in the work of the United Nations during consideration of their respective Territories in the field of decolonization, bearing in mind that related costs could be met from appropriate provisions of the programme budget of the Plan of Action for the International Decade for the Eradication of Colonialism designated for this purpose."

(Mr. Corbin)

Our second proposal to the general section of the consolidated resolution also emanates from the Grenada seminar. It is aimed at the final operative paragraph of the general section, and relates to the need to focus on the implementation of resolutions, particularly those on decolonization. It is our perspective that the success of the decolonization process will in large measure be determined by the degree of implementation of these resolutions. The General Assembly routinely approves a number of resolutions with language calling for the Secretary-General to take the necessary measures to carry them out and to report to the next session of the General Assembly on their implementation.

Inclusion of this language in the consolidated resolution would serve to treat the decolonization resolutions with the same degree of seriousness as other resolutions of the General Assembly, for in the final analysis - and we have said this several times - resolutions on decolonization are only as good as their implementation. In this connection, we wish only to add to the words existing already, "to report thereon to the Assembly at its forty-eighth session", the new words: "on the implementation of this resolution".

A third recommendation emanating from the Grenada seminar reflects the strongly held views of the representatives of the Non-Self-Governing Territories who were present there, and is again lifted almost verbatim from the report of the Grenada seminar, in this case from paragraph 35 of that document. The proposal reads as follows:

> "Recommends that the General Assembly establish a mechanism to represent the interests, and articulate the needs of the Non-Self-Governing Territories, taking into account the geographic location of the majority of the Non-Self-Governing Territories."

(Mr. Corbin)

Representatives of the Territories at the Grenada seminar expressed the view that their interests and concerns are not being sufficiently addressed under the current format, and that a more direct involvement of experts from the Territories themselves in the work of the Committee is preferable.

Regarding the Virgin Islands section of the consolidated resolution, we commend the Subcommittee for its focus on important issues in the Territory, including the political status referendum and voter-eligibility requirements associated with it; our appeal to the administering Power to transfer the fourth largest of our islands to local Government jurisdiction; the need for external resources for the Territorial Government to acquire the harbour of the capital of the Territory from a foreign economic interest; and the request of the Territorial Government for a visiting mission. In connection with the third item mentioned, we wish to commend the statement made by Ms. Judith Bourne of the Save Long Bay Coalition of the United States Virgin Islands, with which the Government of the Territory is in full accord.

In order to facilitate a request made by my Government to the Subcommittee on Small Territories last May - a request previously made to the Special Committee several years ago but not responded to by the Secretariat - we wish to propose the following new operative paragraph to the United States Virgin Islands section:

> "Requests the Special Committee to provide the necessary information to the Territorial Government on voter-residency requirements used by other Non-Self-Governing Territories in acts of self-determination, and potential modalities for a transfer of powers to a Territory in advance of this act, pursuant to General Assembly resolution 1514 (XV)".

(Mr. Corbin)

In connection with this proposal, we wish only information on voter-eligibility criteria used by other Non-Self-Governing Territories in their acts of self-determination. On the matter of a transfer of powers, we wish only to know if this principle has ever been exercised, and if so, how it was exercised. Therefore, my Government urges the Committee to postpone its usual automatic approval of the Subcommittee report so that it might reflect on these recommendations of the Grenada seminar. I am prepared to provide these amendments for circulation to the Committee at any time.

(Mr. Corbin)

Let me say a few words about the implementation of the goals of the International Decade for the Eradication of Colonialism. We are pleased that the Plan of Action for the Decade was approved last year, although we were certainly concerned by the lack of unanimity when the item came before the General Assembly last December. If statements following the adoption of the Plan are any indication, then support for the implementation of the provisions of the Plan is seriously lacking. We are further concerned that the underutilization of funds by the Secretariat of this Committee, as previously outlined, signals a lack of resolve to implement the Plan effectively.

States members of this Committee should monitor the actual implementation of the provisions of the Plan of Action very closely; we offer our proposed language to require a report on the implementation of the consolidated resolution as one way to ensure accountability in implementing the provisions of the Plan of Action.

A significant feature of discussions over the last 10 years has been the effort to increase participation by the Non-Self-Governing Territories in the programmes and activities of the United Nations system. Resolutions of the General Assembly as long ago as 1950 supported this approach and, to their credit, certain United Nations specialized agencies, such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Development Programme (UNDP), the World Health Organization (WHO) and the relevant regional economic commissions, have been most active.

(Mr. Corbin)

We particularly applaud the General Assembly for its adoption of a new resolution last year on cooperation and coordination of specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories. We are hopeful that the coordination function created by that resolution will result in a heightened degree of awareness on the part of the specialized agencies and the technical organs of the General Assembly of their mandate to include Non-Self-Governing Territories in their technical programmes.

However, as we are only a few weeks away from the August vacation and the opening of the General Assembly in September, we are concerned that the momentum and expectations created by that resolution will be lost if action is not taken soon to implement the resolution. As a start, we recommend that the Secretariat of this Committee respond to the initiatives proposed to it by the Working Group of Non-Independent Caribbean Countries of the Caribbean Development and Cooperation Committee in promotion of collaborative activities. Specific recommendations in this regard were endorsed at the Grenada seminar last June and are contained in paragraph 31 of chapter III of the Seminar's report. As recommendations for collaboration between your two United Nations bodies have been presented to this Committee for the last several years, we wish to reiterate our view that such joint activity would facilitate the work of the Committee under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations".

(Mr. Corbin)

We wish to thank the member Governments of the Special Committee for their support at the Preparatory Committee for the United Nations Conference on Environment and Development, which resulted in observer status at the Earth summit and its follow-up activities with those Non-Self-Governing Territories which were associate members of regional economic commissions. This particularly affected those in the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific. We want particularly to thank the members of the Caribbean Community (CARICOM) group and the Pacific group for their support in this regard.

We request that that support be maintained in connection with similar provision for our Territories to participate in upcoming activities of the United Nations, including the World Conference on Human Rights in 1993, the Conference on Population and Development in 1994, the conference on women in 1995, programmes and activities being developed for island developing countries, activities related to the International Decade for Natural Disaster Reduction and other relevant activities.

We also ask member Governments to consider our interest, previously expressed, in observer status, for those Non-Self-Governing Territories which so request it, in the General Assembly in the category that provides for intergovernmental organizations, non-governmental organizations and other organizations. This would regularize Non-Self-Governing Territory participation in all those technical activities. It would also be consistent with the extension of full membership of the General Assembly to the freely associated States of the Republic of the Marshall Islands and the Federated States of Micronesia.

(Mr. Corbin)

At the Fourth Committee last year the Permanent Representative of New Zealand stated that "there is no justification whatsoever for colonialism in its historical sense still to exist". My Government - and indeed most of the Governments of Non-Self-Governing Territories - fully concurs with those sentiments. We have now entered a new age of relations among States and are witnessing the emergence of the United Nations as a pivotal player in the game of international relations.

If this new flexibility is applied to the international decolonization process, we are optimistic that a new thinking will emerge and that a new consensus will be reached to address the concerns of the remaining Non-Self-Governing Territories, most of which are in the Caribbean and the Pacific.

We have a Plan of Action; we have resolutions on decolonization. We require the appropriate response on the part of the United Nations machinery for speedy implementation of the mandates given it by its Member States.

Again, I thank the Special Committee for this opportunity to present our views and concerns before it this year. I am prepared to answer any questions members may have.

The CHAIRMAN: On behalf of the Committee, I thank Mr. Corbin for the information he has furnished to the Committee. I also ask him to convey to his Government our thanks for having made it possible for him to appear before the Committee.

(The Chairman)

The issues Mr. Corbin raised have been noted by the Committee. In my capacity as Chairman, I have taken on some of the problems he raised, and I shall continue to pursue them. I am hopeful that solutions will materialize in the near future.

Views expressed by Mr. Corbin have to be taken into account, as he is the representative of the governing body of the Territory. This has been made clear by decisions of the Committee, and I am quite sure that, in their deliberations on the specific questions he raised, members of the Committee will fully take into account the views he expressed.

As Mr. Corbin has made himself available for comments and questions, I shall now call on members who wish to ask questions or make comments at this time.

Mrs. KING-ROUSSEAU (Trinidad and Tobago): I wish to follow up on the comments made by the representative of the Territorial Government of the United States Virgin Islands.

Bearing in mind the recommendations (A/AC.109/L.1776) of the Working Group, which were adopted by the Special Committee earlier this year, my delegation would like to know the situation regarding the request by the United States Virgin Islands for the provision of financial assistance to facilitate its participation in the work of this Commitee and its Subcommittee. My delegation is aware that the request was made more than a month ago, perhaps more than two months ago. In view of Mr. Corbin's comments this morning, I believe it is important for us to examine this issue closely, since the future participation of the Territorial Government of the United States Virgin Islands in our work is threatened.

The CHAIRMAN: I should like to ask the Secretary of the Committee whether he has any further information on this problem, which affects all the Territories.

Mr. De SOUZA (Secretary of the Committee) (interpretation from French): It is true that such a request has been made. It is also true that, contrary to what the representative of the Territorial Government of the United States Virgin Islands said, the secretariat has given serious thought to this matter and has always tried to give the best possible treatment to requests to it from Non-Self-Governing Territories. I must add that most letters containing such requests are addressed to the Chairman of the Committee and that the secretariat's role is simply to assist the Chair in dealing with them.

Having said that, I should make it clear that the Virgin Islands request is under consideration. We have taken due note of the issues raised by

(Mr. De Souza)

Mr. Corbin - of which, fortunately, we were already aware. The disbursement of funds is undoubtedly a matter for the Committee, which I am sure would be very pleased to give it its attention and decide appropriate ways and means. The Committee may wish to determine its position on requests received on a case-by-case basis to avoid being tied up in financial matters.

Mr. DIARRA (Mali) (interpretation from French): Instead of asking questions, I wish to make some comments in connection with the statement made by the representative of the Territorial Government of the United States Virgin Islands.

My first comment relates to reimbursement, a question that has been before our Working Group, the Subcommittee and then the Special Committee for some time. In the light of what the Secretary of the Committee has just said, I suggest that the secretariat provide the Committee with the necessary information for it to be able to take a decision. We should know whether or not decisions have been taken and whether arrangements are to be made for reimbursing representatives of the Territories for participating in our work. An answer to that technical aspect of the question would enable the Committee to take a final decision on requests for assistance.

My second comment concerns the recommendations of the Grenada Seminar. I welcome the recommendations made by the representative of the United States Virgin Islands. My Government agrees with him that the fact that the Committee adopted the report of the Seminar made it an official document of the Committee, and therefore its recommendations should be taken into account by the Committee in its current work. Like the representative of the United States Virgin Islands, my Government believes that those recommendations should be reflected in the report of the Committee on its work. I do not know

(Mr. Diarra, Mali)

how you intend to handle this, Mr. Chairman, but I believe it is a matter that should be considered during this session.

The CHAIRMAN: I thank the representative of Mali for his remarks, which will be taken into account in the consideration of the question. I am sure that we have dealt with the matter of enabling the representatives of the Territorial Governments to provide information to the Committee and for the Committee to visit those Territories. The Committee and the United Nations will benefit both ways. Therefore, they should be given full encouragement. We also understand that the General Assembly has taken some decisions, and I believe that the secretariat has been requested to interpret them and give us a brief on the budgetary implications. We shall pursue the comments made by the representative of Mali during this session with the aim of taking firm decisions.

Mr. KEMBER (New Zealand): Through you, Mr. Chairman, I should like to thank Mr. Corbin for his comments. He has touched upon a point which has been referred to by you and by other members of your Committee - possible funding for representatives of Non-Self-Governing Territories to attend meetings of this Committee.

I realize from the remarks made by you, Sir, and the Secretary of the Committee that this matter is under consideration. I should merely like to commend to you and to the other members of the Committee that if and when a decision is made, either on a general basis or, as the Secretary indicated, on a case-by-case basis - I cannot speak for other administering Powers - New Zealand would be interested in receiving a formal indication from the Committee of any decision. In the case of the Territory that we have the honour to administer, we could then alert the leaders of Tokelau to the fact

(Mr. Kember, New Zealand)

that some provision exists. I simply ask that this be done formally once the Committee comes to a decision.

The CHAIRMAN: If there are no further comments, I once again thank Mr. Corbin on behalf of the Committee for his important statement and ask him to convey our good wishes to his Governor.

Mr. Corbin withdrew.

INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (A/AC.109/1121 AND A/AC.109/L.1781)

The CHAIRMAN: I wish to draw members' attention to the report prepared by the Secretary-General contained in document A/AC.109/1121. Members also have before them, in document A/AC.109/L.1781, a draft resolution prepared by the Chairman on this question.

Does any member wish to speak at this time? As that is not the case, I suggest that the Committee continue consideration of the item at its next meeting with a view to taking action on the draft resolution.

I should like to urge members who wish to speak on this or any of the following items to advise the Secretariat as soon as possible of their desire to do so.

QUESTION OF SENDING VISITING MISSIONS TO TERRITORIES (A/AC.109/L.1783 and L.1784)

The CHAIRMAN: I wish to draw members' attention to the report prepared by the Chairman, contained in document A/AC.109/L.1783, giving a detailed account of the consultations held with representatives of the administering Powers concerned. Members also have before them, in document A/AC.109/L.1784, a draft resolution on the item.

During my consultations, I informed the representatives of the administering Powers that the Special Committee continued to attach the utmost importance to the dispatch of United Nations visiting missions to the Non-Self-Governing Territories as a means of securing first-hand information on those Territories.

I shall report to the Committee should there be any further developments in relation to this item.

(The Chairman)

Does any member wish to speak at this time? As that is not the case, the Committee will continue consideration of this item at its next meeting with a view to taking action on the draft resolution.

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA (A/AC.109/1117 to 1119 and 1124)

The CHAIRMAN: The Committee has before it the relevant working papers prepared by the Secretariat.

As there are no speakers on this item at this time, the Committee will continue consideration of the item at its next meeting.

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/AC.109/1103, 1110 and 1113)

The CHAIRMAN: The Committee has before it the relevant working papers prepared by the Secretariat.

Again, as there are no speakers on this item at this time, the Committee will continue consideration of the item at its next meeting.

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS: REPORT OF THE CHAIRMAN (A/AC.109/L.1785, E/1992/85); REPORT OF THE SECRETARY-GENERAL (A/47/281)

The CHAIRMAN: The Committee has before it the report of the Secretary-General, contained in document A/47/281, and the report of the Chairman on his consultations with the President of the Economic and Social Council, contained in documents A/AC.109/L.1785 and E/1992/85.

As I indicated on the programme of work, the Economic and Social Council will consider this item on Friday, 24 July 1992, at which time I shall

(The Chairman)

introduce the report on the consultations I have held with the Acting President of the Council. Early next week I shall report to the Committee on my participation in the Council's deliberations on the item.

There is as yet no indication of speakers on this item, and I once again urge members to advise the Secretary as soon as possible if they wish to make a contribution to the Committee's work on this item.

The Committee will continue its consideration of the item at its next meeting.

REQUESTS FOR HEARING

The CHAIRMAN: I wish to draw members' attention to the requests for hearing which have been circulated in aides-mémoire 10/92, 11/92 and 13/92, relating to East Timor, New Caledonia and Western Sahara. As some of the petitioners concerned will need to be informed as soon as possible of the Committee's action on their requests, I suggest that the Committee act upon them expeditiously.

The first group of 21 petitioners referred to in aide-mémoire 10/92 pertains to East Timor.

I now call on the representative of Indonesia.

Mr. NASIER (Indonesia): First of all, Sir, I should like to express my delegation's pleasure at your continued stewardship of the Committee.

I have asked to speak today to register our strong objection to the appearance of the persons listed in aide-mémoire 10/92 of the Special Committee, dated 21 July 1992, as petitioners to speak about the so-called question of East Timor.

(Mr. Nasier, Indonesia)

Indonesia's principled position in this regard is based on the incontrovertible fact that the process of decolonization in East Timor was carried out 16 years ago in accordance with resolutions 1514 (XV) and 1541 (XV), when the overwhelming majority of the people of Timor chose to exercise the right to self-determination through integration with the Republic of Indonesia. Since then, East Timor, as the 27th province of Indonesia, has been endowed with the same constitutional rights and obligations as the other provinces in my country.

Recently, the people of Timor participated in a general election for the national legislatures. Hence, testimony by the petitioners on the so-called question of East Timor constitutes interference in the domestic affairs of a sovereign State. Moreover, granting any petitioner the privilege of appearing before the Committee to speak on East Timor would serve no useful purpose whatsoever, as the same unfounded allegations are repeated time and again. We deem the work and time of this Committee too valuable to be misused by the petitioners in repeating the same baseless accusations against Indonesia in their desperate attempt to keep alive a non-issue built around a non-existent cause.

(Mr. Nasier, Indonesia)

Consequently, my delegation strongly opposes the participation of the aforementioned petitioners in the Committee's deliberations and requests that Indonesia's opposition be reflected in the official record of this meeting.

The CHAIRMAN: The reservations expressed by the representative of Indonesia will be reflected in the record of the meeting. On that understanding, and if there are no further comments, I shall take it that the Committee agrees to accede to these requests.

It was so decided.

The CHAIRMAN: The representative of Portugal wishes to make a statement, and I now call on him.

Mr. RIBEIRO-TELLES (Portugal): I should like to make some brief remarks regarding what has just been said by the representative of Indonesia concerning the question of East Timor. The question of East Timor will be discussed in this Committee on Monday of next week when we shall have an opportunity to express our views. Nevertheless, at this point I should like to state the following.

We do not see how it can be claimed that East Timor has ceased to be an issue of decolonization or self-determination. The item is included in the agenda of both the General Assembly and the Special Committee. The Security Council has remained seized of the matter since December 1975. This means that the United Nations does not recognize that the process of decolonization in the case of East Timor has been completed.

Events in East Timor last year demonstrate in the most tragic manner that the root cause of the tragedy of the East Timorese people is, by all means,

(Mr. Ribeiro-Telles, Portugal)

the demand of a basic human right: the right to self-determination as enshrined in the Charter of the United Nations. This right has been consistently violated by the military invasion of the Territory by Indonesia and the permanent repression of the will of the people.

The real question is how to assure to the East Timorese the exercise of their rights, which are considered to be inalienable by all relevant United Nations resolutions. The question is yet to be settled, since the United Nations has rightfully refused to recognize the validity of the present status quo and East Timor is still considered to be a Non-Self-Governing Territory.

The CHAIRMAN: We shall next take up the request for hearing relating to New Caledonia, contained in aide-mémoire 11/92.

If there are no objections, I shall take it that the Committee agrees to accede to this request.

It was so decided.

The CHAIRMAN: We shall next take up the request for hearing relating to Western Sahara, contained in aide-mémoire 13/92.

If there are no objections, I shall take it that the Committee agrees to accede to this request.

It was so decided.

ORGANIZATION OF WORK

The CHAIRMAN: We have now concluded our business for this meeting. I would have liked to schedule two meetings for tomorrow, but there has been no indication of additional speakers on the items before the Committee. Hence I would like once again to appeal to members to advise the Secretary of the Committee as soon as possible of their intention to speak. The next meeting will be held tomorrow morning at 10, at which time members will be advised whether or not we shall hold another meeting in the afternoon.

The meeting rose at 12 noon.